

Juvenile Justice Improvement Committee
Judicial Conference of Indiana

Minutes
May 7, 2004

The Juvenile Justice Improvement Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, May 7, 2004 from 12:00 noon until 3:00 p.m.

1. Members present. Robert R. Aylsworth, Christopher L. Burnham, Brett J. Niemeyer, Daniel L. Pflum, Charles F. Pratt, R. Paulette Stagg, Viola J. Taliaferro and Mary R. Harper, chair.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Minutes approved. The minutes for the meeting on March 5, 2004 were approved.
4. Guests present. John Wood, Attorney, Division of Family and Children (DFC), FSSA; Stephanie Beasley-Fehrman, DFC, FSSA; and Angela Coolant, FSSA; Suzanne Finneran Clifford, Director, Division of Mental Health and Addiction, (DMHA) FSSA; and Natalie Angel, Manager of Communications, DMHA; and Jimmie McMillian, Law Clerk, Justice Sullivan were present.
5. Sex Offender conditions of probation. Jeff Bercovitz distributed draft conditions of probation for juvenile sex offenders at the request of the Probation Officers Advisory Board. The committee members made various recommendations and agreed to forward them to the Advisory Board.
6. FSSA.
 - a. John Wood, Attorney, Division of Family and Children (DFC), FSSA discussed concerns about H.E.A. 1194 with the members of the committee. This included a discussion of criminal history checks required for placement of children; exceptions to the record check requirement for temporary placements, and/or disposition, and the conflict with the “least restrictive requirement” for placement under Indiana and federal law. Stephanie Beasley-Fehrman said the State Police told her if there “exigent circumstances” and imminent risk for a child, they will give a verbal “O.K.” or “no O.K.” on a person for an emergency placement. If there is no verbal “O.K.” the OFC will have to follow up with fingerprints. She also noted that a full criminal history check must be conducted on a relative placement but a limited criminal history check for foster parents.
 - b. The DFC indicated their written materials would urge cooperation with Probation in preparing record checks under H.E.A. 1194. Committee members agreed to review this legislation at the juvenile judges conference in June.
 - c. Stephanie Beasley-Fehrman distributed SRA and Investigation statistics from May 2003 until April 2004 in accordance with the committee’s request in January.
 - d. Judge Burnham stated the juvenile court redacting requirements of H.E.A. 1194 should be compared to Administrative Rule 9.
7. Division of Mental Health and Addictions.
 - a. Suzanne Clifford, Director, Division of Mental Health and Addictions, asked committee members for support to get a \$750,000 grant from SAMSA to develop coordination of mental

health treatment services for juveniles. The grant will help fund addiction treatment training for the Systems of Care initiative and help pay for the screening and assessment tool for abused and neglected children also. Committee members agreed to support this proposal.

b. Suzanne Clifford asked the committee to assist her in prioritizing mental health service dollars for juveniles in the following areas: early intervention, outpatient mental health services, medication of children, children removed from the home by child welfare, screening and assessment for mental health treatment, juvenile justice screening, systems of care teams, psychiatric residential treatment, children seriously emotionally disturbed (SED) treatment and Medicaid Waiver, Incompetent To Stand Trial (ICST) juveniles, diversion from the juvenile justice system, and how to decrease juvenile justice recidivism. Committee members agreed screening of juveniles on intake should be the priority since a court must know what is going on with a child before finding the appropriate placement. Dealing with the parents of juveniles and the coordination of multiple systems to deal with the entire family are additional priorities.

8. Commissions on Juvenile Law.

a. Judge Taliaferro gave a report on the Commission on Child Abuse and Neglect. [<http://socialwork.iu.edu/site/indexer/903/content.htm>]. She said the Commission divided into various workgroups, held public forums around Indiana, were concerned with confidentiality issues, and must submit a final report draft by August 15, 2004. Jeff Bercovitz distributed a list of commission members and their most recent minutes. Judge Pratt indicated the commission had discussed the dismissal of CHINS case by OFC. He proposed to remove the authority of OFC to dismiss CHINS case on a mandatory basis under present law. The committee agreed by consensus to support this proposal.

b. Judge Taliaferro gave a report on the Commission on Juvenile Law. [<http://www.in.gov/cji/special-initiatives/juv-law-commission.htm>] She stated truancy was an issue first dealt with by the commission, and they are divided into six (6) workgroups. Jeff Bercovitz distributed a description of each workgroup and minutes from their meeting to the committee. Committee members agreed standards for home schooling are needed, and commission members should explore problems caused when a juvenile is suspended and misses a test during the suspension, and does not receive any credit. Judge Taliaferro asked committee members to let her know about any issues to take to either commission.

c. Judge Harper reported on the Governor's Child Protection Task Force. [<http://www.in.gov/gov/execorders/pdf/04-02.pdf>] She reported the Task Force had their first meeting via conference call at 7:30 a.m. one morning, which she was not told about until afterwards. She said the Task Force would meet every two weeks via conference call. Judge Pratt, Task Force member, has never been contacted after his appointment.

9. Next meeting dates. Committee members agreed to meet again on the following dates: June 4, 2004, October 1, 2004, November 5, 2004 and January 7, 2005 from 12:00 noon – 3:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law